

DECLARATION FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address, and citizenship are as stated below next to our name.

We believe that we are the original, first and sole inventors (if only one name is listed below), or original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed, and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR PHYSICAL FITNESS TRAINING

the specification of which is attached hereto, unless the following box is checked:

___ was filed on _____, as United States Application Number or
PCT International Application Number _____.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §§119(a) - (d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

U.S. Provisional Patent Application No. 60/435,619 filed December 19, 2002

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, We acknowledge the duty to disclose

information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

NONE

We hereby appoint the following registered attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John X. Garred, Reg. No. 31,830
Susan L. Mizer, Reg. No. 38,245
Marisa J. Zink, Reg. No. 48,064
Christian Drago, Reg. No. 52,472
James J. Pingor, Reg. No. 51,382
Justin S. Rerko, Reg. No. 53,510
Jay P. Ryan, Reg. No. 37,064

Direct all telephone calls to : John X. Garred
at telephone number : (216) 696-3340

Direct all correspondence to : John X. Garred

TUCKER ELLIS & WEST LLP
1150 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115
Customer No.: 23380

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

^{Mr.}
Full name of sole or first inventor: David Munson, Jr.

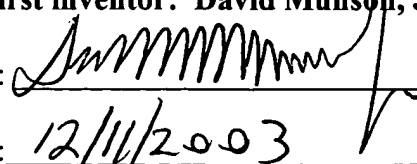
Inventor's signature :

Date :

Residence :

Citizenship :

Post Office Address :


12/11/2003
~~3000 Wood~~ Ln Dallas, TX
United States of America
P.O. Box 671096 Dallas TX 75367